EXHIBIT A

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16   **UNITED STATES DISTRICT COURT**

17   **NORTHERN DISTRICT OF CALIFORNIA**

18   **SAN FRANCISCO DIVISION**

19   RICHARD KADREY, *et al.*,   Case No. 3:23-cv-03417-VC

20   Individual and Representative

21   Plaintiffs,   **DEFENDANT META PLATFORMS, INC.'S
                                              AMENDED OBJECTIONS AND RESPONSES TO
22   v.   PLAINTIFFS' FIRST SET OF REQUESTS FOR
                                              ADMISSIONS**
23   META PLATFORMS, INC., a Delaware
     corporation;
24
                            Defendant.
25

26

27

28

PROPOUNDING PARTY:	**PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH**
RESPONDING PARTY:	**DEFENDANT META PLATFORMS, INC.**
SET NUMBER:	**ONE**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure ("Rules"), Defendant Meta Platforms, Inc. ("Meta") responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang, Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and Christopher Farnsworth's First Set of Requests for Admissions ("Requests").

I.   RESPONSES TO ALL REQUESTS

1.   Meta's responses to the Requests are made to the best of Meta's present knowledge, information, and belief. Said responses are at all times subject to such additional or different information that discovery or further investigation may disclose, and Meta reserves the right to amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

2.   To the extent that Meta responds to Plaintiff's Requests by stating that Meta will provide information and/or documents which Meta or any other party to this litigation deems to embody material that is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure pursuant to Rule 26(c)(7) or Federal Rule of Evidence 501, Meta will do so pursuant to the Stipulated Protective Order entered in this case (Dkt. 90).

3.   The provision of a response to any of these Requests does not constitute a waiver of any objection regarding the use of said response in these proceedings. Meta reserves all objections or other questions as to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action for any purpose whatsoever of this response and any document or thing produced in response to the Requests.

4.   Meta reserves the right to object on any ground at any time to such other or supplemental requests for admission that Plaintiffs may propound involving or relating to the subject matter of these Requests.

1   **II.   OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

2   Whether or not separately set forth in response to each Request, Meta makes these

3   objections to the following Instructions and Definitions.

4   **1.**   Meta objects to all defined terms to the extent that they are not utilized in Plaintiffs'

5   First Set of Requests for Admission.

6   **2.**   Meta objects to the definition of "Complaint," which refers to the production of

7   documents in response to Plaintiffs' Requests for Admission. Meta will construe "Complaint" to

8   refer to Plaintiffs' Corrected Second Consolidated Amended Complaint (Dkt. 133), filed September

9   9, 2024.

10   **3.**   Meta objects to the definition of "Dataset(s)" as vague, ambiguous, as to the phrase

11   "all collections of data," which is indefinite and overbroad. Meta further objects to the definition

12   of "Dataset(s)" as vague and ambiguous as to the phrase "referenced, or intended to be used,"

13   which, read literally, would encompass any dataset referenced by any Meta employee in the context

14   of the development, training, validation, testing, or evaluation of LLMs and any datasets that were

15   intended for such use but not actually used. Meta further objects to this definition to the extent it

16   purports to include datasets that include content to which Plaintiffs have made no claim of

17   ownership and which are not the subject of any allegations of copyright infringement by Plaintiffs.

18   Meta will construe "Dataset(s)" to mean the textual datasets used to train the Llama Models (as

19   construed below).

20   **4.**   Meta objects to the definition of "Llama Models" as vague and ambiguous as to the

21   terms and phrases "other AI models," "instances," "iterations," "versions," "updates,"

22   "modifications," "original version," "experimental versions," "subsequent versions," and

23   "refinements to the underlying algorithm, parameters, or architecture," as applied to Llama and

24   "any other AI models developed or in development by Meta." Meta further objects to this definition

25   as overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that

26   it purports to require Meta to produce documents concerning large language models ("LLMs") that

27   were not publicly released and/or were not trained on corpuses of text that allegedly include any of

28   Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to this definition to the

1   extent that it purports to require Meta to produce documents that are not relevant to any party's

2   claims or defenses. Meta will construe "Llama Models" to mean the models within the Llama

3   family of LLMs that have been publicly released by Meta, namely, Llama 1, Llama 2, Code Llama,

4   and Llama 3, and the models Llama 4 and Llama 5, which remain under development.

5   **5.**   Meta objects to the definitions of "Llama 1," "Llama 2," and "Llama 3" as vague

6   and ambiguous as to the undefined terms "precursor models" and "variant models." Meta further

7   objects to these definitions as overbroad, unduly burdensome, and disproportionate to the needs of

8   the case to the extent that it purports to require Meta to produce documents or information

9   concerning LLMs that were not publicly released and/or were not trained on corpuses of text that

10 include any of Plaintiffs' allegedly copyrighted works. For the same reason, Meta objects to these

11 definitions to the extent that they purport to require Meta to produce documents or information

12 concerning LLMs that are not relevant to any party's claims or defenses. For purposes of these

13 responses, Meta construes the term "Llama 1" to refer to the LLM released by Meta as Llama on

14 February 24, 2023, the term "Llama 2" to refer to the LLM released by Meta under that name on

15 July 18, 2023, and the term "Llama 3" to refer to the LLMs released by Meta under that name on

16 April 18, 2024, July 23, 2024, and September 25, 2024.

17   **6.**   Meta objects to the definition of "Meta" as overbroad and unduly burdensome to the

18 extent it seeks to impose on Meta an obligation to investigate information or documents outside of

19 its possession, custody, or control. For purposes of these responses, Meta construes the term

20 "Meta" or "You" to mean Meta Platforms, Inc. and its officers, directors, employees, and

21 authorized agents working on its behalf and subject to its control.

22   **7.**   Meta objects to the definition of "Relevant Period" as vague, ambiguous, and

23 unintelligible, as it is defined circularly to mean "all times relevant to … the Complaint." Meta

24 construes the Relevant Period to mean January 1, 2022 to the present.

25   **8.**   Meta objects to Instruction 4 to the extent it purports to require more of Meta than

26 any obligation imposed by law, and to the extent it purports to require Meta to disclose information

27 protected by attorney-client privilege and/or the attorney work product doctrine.

28   **9.**   Meta objects to Instruction 5 as overbroad and unduly burdensome to the extent it

1   purports to require more of Meta than any obligation imposed by law.

2   **10.**   Meta objects to Instruction 8 insofar as it provides that any Request will be deemed

3   admitted as a result of an undefined "inadequate" response, without requiring Plaintiffs to bring a

4   motion regarding the sufficiency of an answer or objection, as required under Fed. R. Civ. P.

5   36(a)(6).

6   **III.   AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

7   **REQUEST FOR ADMISSION NO. 1:**

8   Admit that Meta created and maintains the large language models known as Llama.

9   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, including its

11   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

12   as compound.

13

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

15   admits that it maintains those versions of the large language models known as Llama (i.e., Llama

16   1, Llama 2, Llama 3) that are provided by Meta through Meta's website and Meta's hosting partners

17   Amazon, Google, and Microsoft. Meta denies that it maintains versions of Llama that are under

18   the control of licensees or unauthorized third party users of the Llama models. Except as expressly

19   admitted, Meta denies the Request.

20

21   **REQUEST FOR ADMISSION NO. 2:**

22   Admit that the Llama Models are large language models designed to emit naturalistic text

23   outputs in response to user prompts.

24   **RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

25

26   Meta incorporates by reference its Objections to Instructions and Definitions, including its

27   own definitions stated therein, which are applicable to this Request. Meta objects to the terms

28   "designed to" and "naturalistic" as vague and ambiguous, as it is unclear whether this Request is

1   asking for an admission regarding Meta's intended purpose of the Llama Models or about their

2   functionality.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

4   admits that one of the functions of the Llama Models is to emit natural language text outputs in

5   response to user prompts. Except as expressly admitted, Meta denies the Request.

6   **REQUEST FOR ADMISSION NO. 3:**

7   Admit that the Dataset used to train Llama 1 included copyrighted books.

8   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, including its

10 own definitions stated therein, which are applicable to this Request. Meta objects to the term

11 "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

12 Llama 1. Meta objects to this Request to the extent that it calls for a legal conclusion as to

13 "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

14 define this term.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

16 admits that it used one or more Datasets that included text from a published and commercially-

17 available version of one or more copyrighted books to train Llama 1. Except as expressly admitted,

18 Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

19 denies it.

20 **REQUEST FOR ADMISSION NO. 4:**

21   Admit that the Dataset used to train Llama 2 included copyrighted books.

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, including its

24 own definitions stated therein, which are applicable to this Request. Meta objects to the term

25 "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

26 Llama 2. Meta objects to this Request to the extent that it calls for a legal conclusion as to

27 "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

28 define this term.

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2   admits that it used one or more Datasets that included text from a published and commercially-

3   available version of one or more copyrighted books to train Llama 2. Except as expressly admitted,

4   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

5   denies it.

6   **REQUEST FOR ADMISSION NO. 5:**

7   Admit that the Dataset used to train Llama 3 included copyrighted books.

8   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, including its

10   own definitions stated therein, which are applicable to this Request. Meta objects to the term

11   "Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

12   Llama 3. Meta objects to this Request to the extent that it calls for a legal conclusion.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

14   admits that it used one or more Datasets that included text from a published and commercially-

15   available version of one or more copyrighted books to train Llama 3. Except as expressly admitted,

16   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

17   denies it.

18   **REQUEST FOR ADMISSION NO. 6:**

19   Admit that the Dataset used or that will be used to train Llama 4 included copyrighted books.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22   own definitions stated therein, which are applicable to this Request. Meta objects to the term "the

23   Dataset" as vague and ambiguous, to the extent it suggests that Meta used a single dataset to train

24   Llama 4. Meta objects to this Request to the extent that it calls for a legal conclusion as to

25   "copyrighted books," and on the ground that it does not specify any copyrighted books or otherwise

26   define this term. Meta objects to this Request as purely speculative and not relevant to the claims

27   or defenses of any party insofar as Meta has not yet released Llama 4 and Meta is in the process of

28   finalizing the data corpus for Llama 4.

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2   admits that text from a published and commercially-available version of one or more copyrighted

3   books is included in a Dataset that could be used to train Llama 4. Except as expressly admitted,

4   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

5   denies it.

6   **REQUEST FOR ADMISSION NO. 7:**

7   Admit that You did not obtain permission or consent from the relevant copyright owners to

8   use all copyrighted books in the Datasets used to train Llama Models.

9   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, including its

11   own definitions stated therein, which are applicable to this Request. Meta objects to the Request

12   as vague, ambiguous, and unintelligible as to "use all copyrighted books in the Datasets." Meta

13   also objects on the ground that the terms "relevant copyright owners" and "copyrighted books" are

14   vague, ambiguous, indefinite, undefined, and overbroad in that they are untethered to the allegedly

15   copyright registered works at issue in this Action. Meta further objects to this Request on the

16   ground that information about who the "relevant copyright owner" is for any allegedly copyrighted

17   book or its contents is outside of Meta's possession, custody, or control. Even reviewing the

18   copyright registration or copyright notice in a book would not tell Meta who the "relevant copyright

19   owner" is of any book, because, e.g., all or some of the exclusive rights of copyright could have

20   been assigned, could be invalid, could have been contributed to the public domain, or could have

21   been registered through error or fraud in the name of a person other than the author/true copyright

22   owner. Moreover, even where an author owns the copyright to a book, that copyright may not

23   cover all text in the book (by way of example, content contributed by another author, or previously

24   published or registered works appearing in a collection or anthology, such as a collection of short

25   stories, are not covered by any copyright in the book, whether registered or not). Meta construes

26   the term "relevant copyright owner" as used in this Request to refer to the person identified in the

27   book as the copyright owner, without admitting that such person in fact owns a valid copyright in

28   the book or what it covers. Meta further objects to this Request as overly burdensome and

1   disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the

2   "relevant copyright owner" of "all copyrighted books" in its training Datasets, which Plaintiffs

3   assert comprised thousands of books. Meta objects to the Request as compound insofar as it seeks

4   an admission as to multiple datasets used to train Llama Models. Meta objects to this Request to

5   the extent it improperly suggests that Meta participated in the selection of books or other content

6   to be included in the datasets used to train the Llama Models or that Meta was required to obtain

7   permission from copyright owners to train the Llama Models on any unspecified content of books

8   they authored or to which they own the copyright.

9   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

10   admits that one or more Datasets used to train its Llama Models contained text from published and

11   commercially-available versions of one or more copyrighted books for which it did not obtain

12   permission or consent from the relevant copyright owner(s) (as construed above). Except as

13   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

14   and on that basis denies it.

15   **REQUEST FOR ADMISSION NO. 8:**

16   Admit that You did not obtain permission from Plaintiffs to include the content of books

17   they authored in the Datasets used to train Llama Models.

18   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, including its

20   own definitions stated therein, which are applicable to this Request. Meta objects to the Request

21   as compound insofar as it seeks an admission as to multiple datasets used to train Llama Models.

22   Meta further objects on the ground that the term "content of books they authored" is vague,

23   ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly copyright

24   registered works at issue in this Action. Meta further objects to this Request on the ground that

25   information about who authored the books at issue in this case is outside of Meta's possession,

26   custody, or control. Even reviewing the copyright registration or copyright notice in a book would

27   not tell Meta who "authored" all or any part of the book, because the information may be inaccurate.

28   In this case, authorship is a disputed issue as to at least one at-issue work. Moreover, even where

1   a person is identified as the "author" of a book in a copyright notice or registration, that authorship

2   may not extend to all text in the book (by way of example, content contributed by another author,

3   or previously published or registered works appearing in a collection or anthology, such as a

4   collection of short stories, would not be authored by the copyright holder and are not covered by

5   any copyright in the book, whether registered or not). For purposes of its response below, Meta

6   construes the term "books they authored" as used in this Request to refer to the at-issue books

7   Plaintiffs claim in this case to have authored, without admitting that any Plaintiff was, in fact, the

8   author or owns a valid copyright in the book, and without admitting what any copyright in the book

9   may cover. Meta objects to this Request to the extent it improperly suggests that Meta participated

10   in the selection of books or other content to be included in the datasets used to train the Llama

11   Models or that Meta was required to obtain permission from Plaintiffs to train the Llama Models

12   on any unspecified content of books they authored.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

14   admits that it did not seek or obtain permission from Plaintiffs to train Llama Models using Datasets

15   that included books Plaintiffs claim in this action to have authored. Except as expressly admitted,

16   Meta denies the Request.

17   **REQUEST FOR ADMISSION NO. 9:**

18   Admit that You did not compensate Plaintiffs for the inclusion of the content of books they

19   authored in the Datasets used to train Llama Models.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22   own definitions stated therein, which are applicable to this Request. Meta objects to the term

23   "compensate" as vague and ambiguous. Meta will construe "compensate" to refer to financial

24   compensation. Meta objects to the Request as compound insofar as it seeks an admission as to

25   multiple datasets used to train Llama Models. Meta further objects on the ground that the term

26   "content of books they authored" is vague, ambiguous, indefinite, undefined, and overbroad in that

27   it is untethered to the allegedly copyright registered works at issue in this Action. Meta further

28   objects to this Request on the ground that information about who authored the books at issue in this

1   case is outside of Meta's possession, custody, or control. Even reviewing the copyright registration

2   or copyright notice in a book would not tell Meta who "authored" all or any part of the book,

3   because the information may be inaccurate. In this case, authorship is a disputed issue as to at least

4   one at-issue work. Moreover, even where a person is identified as the "author" of a book in a

5   copyright notice or registration, that authorship may not extend to all text in the book (by way of

6   example, content contributed by another author, or previously published or registered works

7   appearing in a collection or anthology, such as a collection of short stories, would not be authored

8   by the copyright holder and are not covered by any copyright in the book, whether registered or

9   not). For purposes of its response below, Meta construes the term "books they authored" as used

10   in this Request to refer to the at-issue books Plaintiffs claim in this case to have authored, without

11   admitting that any Plaintiff was, in fact, the author or owns a valid copyright in the book, and

12   without admitting what any copyright in the book may cover. Meta objects to this Request to the

13   extent it improperly suggests that Meta participated in the selection of the content of books or other

14   content to be included in the datasets used to train the Llama Models or that Meta was required to

15   compensate Plaintiffs to train the Llama Models on any unspecified content of books Plaintiffs

16   authored.

17   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

18   admits that it did not compensate Plaintiffs for the inclusion of the content of books they

19   purportedly authored in the Datasets used to train Llama Models, to the extent those Datasets

20   included the content of books they purportedly authored. Except as expressly admitted, Meta

21   denies the Request.

22   **REQUEST FOR ADMISSION NO. 10:**

23   Admit that You have made Llama 1 available for use by Third Parties.

24   **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

25   Meta incorporates by reference its Objections to Instructions and Definitions, including its

26   own definitions stated therein, which are applicable to this Request.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28   admits that it has made Llama 1 available for use by Third Parties under certain circumstances and

1 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

2 **REQUEST FOR ADMISSION NO. 11:**

3   Admit that You have made Llama 2 available for use by Third Parties.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, including its

6 own definitions stated therein, which are applicable to this Request.

7   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

8 admits that it has made Llama 2 available for use by Third Parties under certain circumstances and

9 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

10 **REQUEST FOR ADMISSION NO. 12:**

11   Admit that You have made Llama 3 available for use by Third Parties.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, including its

14 own definitions stated therein, which are applicable to this Request.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

16 admits that it has made Llama 3 available for use by Third Parties under certain circumstances and

17 subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

18 **REQUEST FOR ADMISSION NO. 13:**

19   Admit that you intend to make Llama 4 available for use by Third Parties.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, including its

22 own definitions stated therein, which are applicable to this Request. Meta objects to this Request

23 as purely speculative and not relevant to the claims or defenses of any party insofar as Meta has not

24 yet released Llama 4.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26 admits that it currently intends to make Llama 4 available for use by Third Parties at some point in

27 the future under certain circumstances and subject to certain terms and restrictions. Except as

28 expressly admitted, Meta denies the Request.

COOLEY LLP
ATTORNEYS AT LAW

META'S AMENDED OBJ & RESPS TO
PLTF'S FIRST SET OF RFA'S
3:23-CV-03417-VC

1 **REQUEST FOR ADMISSION NO. 14:**

2   Admit that You have generated revenue from making one or more Llama Models available

3 for use by Third Parties.

4 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, including its

6 own definitions stated therein, which are applicable to this Request. Meta further objects to the

7 capitalized term "Third Parties," which is ambiguous and undefined. Meta construes this term to

8 refer to persons who are not named parties to this Action. Meta further objects to this Request on

9 the ground that the terms "generated revenue" and "from making one or more Llama Models

10 available for use by Third Parties" are vague, ambiguous, and undefined. Meta further objects on

11 the ground that this Request is compound.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: ███

13 ██

14 ██

15 **REQUEST FOR ADMISSION NO. 15:**

16   Admit that You have not disclosed all Datasets used to train Llama Models in response to

17 discovery in this case.

18 ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, including its

20 own definitions stated therein, which are applicable to this Request, including, in particular

21 Objection No. 4. Meta objects to this Request as improperly seeking discovery on discovery. Meta

22 further objects to this Request to the extent it seeks information that is not relevant to the claims or

23 defenses of any party.

24   Subject to and without waiving the foregoing objections, Meta responds as follows: ███

25 ██

26 ██

27 ██

28 ██

1   ███

2   **REQUEST FOR ADMISSION NO. 16:**

3   Admit that You used the Books3 database as a Dataset to train one or more Llama Models.

4   **RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, including its

6   own definitions stated therein, which are applicable to this Request. Meta objects to the term

7   "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

8   third-party dataset commonly known as Books3. Meta further objects to this Request as compound.

9   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

10 admits that it has used a portion of the third-party dataset commonly known as Books3 as training

11 data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

12 **REQUEST FOR ADMISSION NO. 17:**

13 Admit that the Books3 database contains copyrighted works.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, including its

16 own definitions stated therein, which are applicable to this Request. Meta objects to the term

17 "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

18 third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it

19 calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify

20 any copyrighted works or otherwise define this term.

21 Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

22 admits that text from a published and commercially-available version of one or more copyrighted

23 works appears in the third-party dataset commonly known as Books3.   Except as expressly

24 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on

25 that basis denies it.

26 **REQUEST FOR ADMISSION NO. 18:**

27 Admit that Your use of the Books3 database as a Dataset for training Llama Models was

28 not authorized by all copyright owners of the works contained within the Books3 database.

1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 18:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, including its

3   own definitions stated therein, which are applicable to this Request. Meta objects to the term

4   "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

5   third-party dataset commonly known as Books3. Meta objects to this Request to the extent that it

6   calls for a legal conclusion. Meta further objects on the ground that the term "copyright owners"

7   is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly

8   copyright registered works at issue in this Action. Meta further objects to this Request on the

9   ground that information about who the "copyright owner" is for any allegedly copyrighted book or

10 its contents is outside of Meta's possession, custody, or control. Even reviewing the copyright

11 registration or copyright notice in a book would not tell Meta who the "copyright owner" is of any

12 book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could

13 be invalid, could have been contributed to the public domain, or could have been registered through

14 error or fraud in the name of a person other than the author/true copyright owner. Moreover, even

15 where an author owns the copyright to a book, that copyright may not cover all text in the book (by

16 way of example, content contributed by another author, or previously published or registered works

17 appearing in a collection or anthology, such as a collection of short stories, are not covered by any

18 copyright in the book, whether registered or not). Meta construes the term "copyright owner" as

19 used in this Request to refer to the person identified in the book as the copyright owner, without

20 admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further

21 objects to this Request as overly burdensome and disproportionate to the needs of the case insofar

22 as it would require Meta to attempt to ascertain the "copyright owner" of "all copyrighted books"

23 in the Books3 database, a database Meta did not create and which Plaintiffs assert comprises

24 thousands of books. Meta objects to this Request to the extent it improperly suggests that Meta

25 participated in the selection of content to be included in the third-party Books3 dataset or that

26 Meta's use of the Books3 dataset for training the Llama Models required authorization from the

27 owners of the copyrights in the works contained within that dataset.

28   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

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1 admits that it did not seek or obtain authorization from all copyright owners (as construed above)

2 of works included within the third-party dataset commonly known as Books3 to use that dataset for

3 training Llama Models. Except as expressly admitted, Meta denies this Request.

4 **REQUEST FOR ADMISSION NO. 19:**

5   Admit that You used the "Library Genesis" database as a Dataset to train one or more Llama

6 Models.

7 ***CONFIDENTIAL* RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9 own definitions stated therein, which are applicable to this Request. Meta further objects to this

10 Request as compound.

11   Subject to and without waiving the foregoing objections, Meta responds as follows: █████

12 ██

13 ██

14 ████████

15 **REQUEST FOR ADMISSION NO. 20:**

16   Admit that the "Library Genesis" database contains copyrighted works.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, including its

19 own definitions stated therein, which are applicable to this Request. Meta objects to this Request

20 to the extent that it calls for a legal conclusion as to "copyrighted works," and on the ground that it

21 does not specify any copyrighted works or otherwise define this term.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

23 admits that text from a published and commercially-available version of one or more copyrighted

24 works appears in the third-party "Library Genesis" database. . Except as expressly admitted, Meta

25 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

26 it.

27 **REQUEST FOR ADMISSION NO. 21:**

28   Admit that Your use of the "Library Genesis" database as a Dataset for training Llama

1   Models was not authorized by all copyright owners of the works contained within the "Library

2   Genesis" database.

3   ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, including its

5   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

6   to the extent that it calls for a legal conclusion. Meta further objects on the ground that the term

7   "copyright owners" is vague, ambiguous, indefinite, undefined, and overbroad in that it is

8   untethered to the allegedly copyright registered works at issue in this Action. Meta further objects

9   to this Request on the ground that information about who the "copyright owner" is for any allegedly

10   copyrighted book or its contents is outside of Meta's possession, custody, or control. Even

11   reviewing the copyright registration or copyright notice in a book would not tell Meta who the

12   "copyright owner" is of any book, because, e.g., all or some of the exclusive rights of copyright

13   could have been assigned, could be invalid, could have been contributed to the public domain, or

14   could have been registered through error or fraud in the name of a person other than the author/true

15   copyright owner. Moreover, even where an author owns the copyright to a book, that copyright

16   may not cover all text in the book (by way of example, content contributed by another author, or

17   previously published or registered works appearing in a collection or anthology, such as a collection

18   of short stories, are not covered by any copyright in the book, whether registered or not). Meta

19   construes the term "copyright owner" as used in this Request to refer to the person identified in the

20   book as the copyright owner, without admitting that such person in fact owns a valid copyright in

21   the book or what it covers. Meta further objects to this Request as overly burdensome and

22   disproportionate to the needs of the case insofar as it would require Meta to attempt to ascertain the

23   "copyright owner" of "all copyrighted books" in the "Library Genesis" database, a database Meta

24   did not create and which Plaintiffs assert comprises thousands of books. Meta objects to this

25   Request to the extent it suggests that Meta's use of data from the third-party "Library Genesis"

26   database for training the Llama Models required authorization from the owners of the copyrights

27   in the works contained within that database.

28   Subject to and without waiving the foregoing objections, Meta responds as follows: ▉▉▉

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3   ███

REQUEST FOR ADMISSION NO. 22:

Admit that You used the database known as "The Pile" as a Dataset to train one or more Llama Models.

RESPONSE TO REQUEST FOR ADMISSION NO. 22:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the third-party dataset commonly known as The Pile. Meta further objects to this Request as compound.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that it has used some content included in the third-party dataset commonly known as The Pile as training data to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

REQUEST FOR ADMISSION NO. 23:

Admit that the database known as "The Pile" contains copyrighted works.

AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 23:

Meta incorporates by reference its Objections to Instructions and Definitions, including its own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it calls for a legal conclusion as to "copyrighted works," and on the ground that it does not specify any copyrighted works or otherwise define this term.

Subject to and without waiving the foregoing objections, Meta responds as follows: Meta admits that text from a published and commercially-available version of one or more copyrighted works appears in the third-party dataset commonly known as The Pile. Except as expressly

1   admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on

2   that basis denies it.

3   **REQUEST FOR ADMISSION NO. 24:**

4   Admit that Your use of the database known as "The Pile" as a Dataset for training Llama

5   Models was not authorized by all copyright owners of the works contained within the "The Pile"

6   database.

7   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to the term "'The

10   Pile' database" as vague and ambiguous. Meta will construe "'The Pile' database" to mean the

11   third-party dataset commonly known as The Pile. Meta objects to this Request to the extent that it

12   calls for a legal conclusion. Meta further objects on the ground that the term "copyright owners"

13   is vague, ambiguous, indefinite, undefined, and overbroad in that it is untethered to the allegedly

14   copyright registered works at issue in this Action. Meta further objects to this Request on the

15   ground that information about who the "copyright owner" is for any allegedly copyrighted book or

16   its contents is outside of Meta's possession, custody, or control. Even reviewing the copyright

17   registration or copyright notice in a book would not tell Meta who the "copyright owner" is of any

18   book, because, e.g., all or some of the exclusive rights of copyright could have been assigned, could

19   be invalid, could have been contributed to the public domain, or could have been registered through

20   error or fraud in the name of a person other than the author/true copyright owner. Moreover, even

21   where an author owns the copyright to a book, that copyright may not cover all text in the book (by

22   way of example, content contributed by another author, or previously published or registered works

23   appearing in a collection or anthology, such as a collection of short stories, are not covered by any

24   copyright in the book, whether registered or not). Meta construes the term "copyright owner" as

25   used in this Request to refer to the person identified in the book as the copyright owner, without

26   admitting that such person in fact owns a valid copyright in the book or what it covers. Meta further

27   objects to this Request as overly burdensome and disproportionate to the needs of the case insofar

28   as it would require Meta to attempt to ascertain the "copyright owner" of "all copyrighted books"

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1 in the "The Pile," a database Meta did not create and which Plaintiffs assert comprises thousands

2 of books. Meta objects to this Request to the extent it improperly suggests that Meta participated

3 in the selection of content to be included in the third-party dataset commonly known as The Pile or

4 that Meta's use of The Pile for training the Llama Models required authorization from the owners

5 of the copyrights in the works contained within that dataset.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

7 admits that it did not seek or obtain authorization from all copyright owners (as construed above)

8 of any works included within the third-party The Pile dataset to use that dataset for training Llama

9 Models. Except as expressly admitted, Meta denies this Request.

10 **REQUEST FOR ADMISSION NO. 25:**

11   Admit that You have contacted one or more Person(s) to negotiate licensing of material for

12 the purpose of training a Llama Model.

13 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, including its

15 own definitions stated therein, which are applicable to this Request. Meta objects to the terms

16 "material" and "licensing" as vague, ambiguous, and indefinite.

17   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

18 admits that it has contacted one or more Persons to discuss an agreement for access to and use of

19 certain data as training material. Except as expressly admitted, Meta denies this Request.

20 **REQUEST FOR ADMISSION NO. 26:**

21   Admit that You have contacted one or more copyright owners to negotiate licensing of their

22 copyrighted material for the purpose of training a Llama Model.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, including its

25 own definitions stated therein, which are applicable to this Request. Meta objects to the terms

26 "copyright owners," "copyrighted material," and "licensing" as vague, ambiguous, indefinite, and

27 calling for a legal conclusion.

28   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

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1   admits that it has contacted one or more Persons to discuss an agreement for access to and use of

2   certain data that may include copyrighted material as training material. Except as expressly

3   admitted, Meta denies this Request.

4   **REQUEST FOR ADMISSION NO. 27:**

5   Admit that each Llama Model can generate text outputs similar to copyrighted works in

6   Datasets used to train each Llama Model.

7   **RESPONSE TO REQUEST FOR ADMISSION NO. 27:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

10   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

11   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

12   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

13   grounds that the terms "copyrighted works" and "similar to copyrighted works" are vague,

14   ambiguous, undefined, indefinite, and call for a legal conclusion. Meta objects to this Request as

15   speculative insofar as it seeks an admission as to whether the Llama Models "can" generate certain

16   text outputs, regardless of whether they actually do generate those text outputs. Meta objects to the

17   phrase "each Llama Model can generate" as vague and ambiguous. Meta will construe "each Llama

18   Model can generate" to refer to the capabilities of the final, released versions of Llama 1, Llama 2,

19   and Llama 3, as construed above. Meta further objects to this Request on the ground that it

20   constitutes an incomplete hypothetical and calls for speculation.

21   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

22   **REQUEST FOR ADMISSION NO. 28:**

23   Admit that You issued a DMCA takedown notice to a Person who made a leaked version

24   of Llama 1 available for download to third parties.

25   **RESPONSE TO REQUEST FOR ADMISSION NO. 28:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, including its

27   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

28   insofar as it seeks information that is not relevant to any party's claims or defenses. Meta objects

1   to the term "leaked version" as vague, ambiguous, and undefined. Meta construes the term "third

2   parties" synonymously with the defined term Third Parties.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

4   admits that it issued a DMCA takedown notice to a Person who made the Llama 1 weights available

5   for download to Third Parties other than those Persons authorized to use Llama 1. Except as

6   expressly admitted, Meta denies this Request.

7   **REQUEST FOR ADMISSION NO. 29:**

8   Admit that You received more than 100,000 applications for access to Llama 1.

9   **RESPONSE TO REQUEST FOR ADMISSION NO. 29:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, including its

11   own definitions stated therein, which are applicable to this Request. Meta objects to the term

12   "applications" as vague and ambiguous.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

14   admits that it received more than 100,000 requests to provide access to Llama 1. Except as

15   expressly admitted, Meta denies this Request.

16   **REQUEST FOR ADMISSION NO. 30:**

17   Admit that You granted access to Llama 1 to tens of thousands of third-party users.

18   **RESPONSE TO REQUEST FOR ADMISSION NO. 30:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, including its

20   own definitions stated therein, which are applicable to this Request. Meta construes "third parties"

21   in this Request synonymously with the defined term Third Parties.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23   **REQUEST FOR ADMISSION NO. 31:**

24   Admit that You granted access to Llama 2 to tens of thousands of third-party users.

25   **RESPONSE TO REQUEST FOR ADMISSION NO. 31:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, including its

27   own definitions stated therein, which are applicable to this Request. Meta objects to the term

28   "granted access" as vague and ambiguous in the context of Llama 2, which is freely available. Meta

1 construes "third parties" in this Request synonymously with the defined term Third Parties.

2   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

3 admits that Llama 2 is freely available to at least tens of thousands of third-party users. Except as

4 expressly admitted, Meta denies this Request.

5 **REQUEST FOR ADMISSION NO. 32:**

6   Admit that You granted access to Llama 3 to tens of thousands of third-party users.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 32:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9 own definitions stated therein, which are applicable to this Request. Meta objects to the term

10 "granted access" as vague and ambiguous in the context of Llama 3, which is freely available. Meta

11 construes "third parties" in this Request synonymously with the defined term Third Parties.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

13 admits that Llama 3 is freely available to at least tens of thousands of third-party users. Except as

14 expressly admitted, Meta denies this Request.

15 **REQUEST FOR ADMISSION NO. 33:**

16   Admit that one or more Llama Models were trained using publicly available data.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 33:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, including its

19 own definitions stated therein, which are applicable to this Request. Meta objects to the term

20 "publicly available data" as vague and ambiguous, and will construe the term to mean data that is

21 accessible for free to the general public. Meta further objects to this Request as compound.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Admit.

23 **REQUEST FOR ADMISSION NO. 34:**

24   Admit that the publicly available data used to train the Llama Models included copyrighted

25 works.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 34:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, including its

28 own definitions stated therein, which are applicable to this Request. Meta objects to the term

1   "publicly available data" as vague and ambiguous, and will construe the term to mean data that is

2   accessible for free to the general public. Meta objects to this Request to the extent that it calls for

3   a legal conclusion as to "copyrighted works," and on the ground that it does not specify any

4   copyrighted works or otherwise define this term. Meta further objects to this Request as compound.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

6   admits that the publicly available data used to train the Llama Models included text from a

7   published and commercially-available version of one or more copyrighted works.

8   **REQUEST FOR ADMISSION NO. 35:**

9   Admit that Meta has not provided to Plaintiffs a list of works used in the Datasets used to

10 train Llama Models.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 35:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, including its

13 own definitions stated therein, which are applicable to this Request. Meta objects to the term

14 "works" as vague, ambiguous, and indefinite. Meta objects to this Request as it improperly seeking

15 discovery on discovery.

16   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

17 Meta has produced a list of the content of the third-party Books3 dataset (Meta_Kadrey_00000250),

18 which is alleged to include text from each of Plaintiffs' books that are at issue in the Complaint.

19 Meta is not aware or in possession of any list(s) of the content of any other Datasets used to train

20 the Llama Models, and any such list(s) would not be relevant to the Parties' claims or defenses nor

21 proportional to the needs of this case. Except as expressly admitted, Meta denies this Request.

22 **REQUEST FOR ADMISSION NO. 36:**

23   Admit that the toxicity mitigation measures in Llama 2 were identical to those present in

24 Llama 1.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 36:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, including its

27 own definitions stated therein, which are applicable to this Request. Meta objects to the term

28 "toxicity mitigation measures" as vague, ambiguous, and undefined. Meta will construe this term

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1   to refer to measures taken or implemented to avoid generating toxic content as outputs.

2   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

3   **REQUEST FOR ADMISSION NO. 37:**

4   Admit that the toxicity mitigation measures in Llama 3 were identical to those present in

5   Llama 2.

6   **RESPONSE TO REQUEST FOR ADMISSION NO. 37:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, including its

8   own definitions stated therein, which are applicable to this Request. Meta objects to the term

9   "toxicity mitigation measures" as vague, ambiguous, and undefined. Meta will construe this term

10 to refer to measures taken or implemented to avoid generating toxic content as outputs.

11   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

12 **REQUEST FOR ADMISSION NO. 38:**

13   Admit that You store copyrighted material for training Llama Models.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 38:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, including its

16 own definitions stated therein, which are applicable to this Request. Meta objects to this Request

17 to the extent that it calls for a legal conclusion. Meta objects to this Request on the grounds that

18 the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls for a legal

19 conclusion. Meta objects to the term "store copyrighted material for training Llama Models" as

20 vague and ambiguous. Meta also objects on the ground that this Request is overbroad and seeks

21 information that is not relevant to any party's claims or defenses. Meta objects to this Request as

22 compound.

23   Subject to and without waiving the foregoing objections, Meta responds as follows: As

24 written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is

25 willing to meet and confer to understand how to interpret this Request.

26 **REQUEST FOR ADMISSION NO. 39:**

27   Admit that You have not deleted all copyrighted material in Your possession after it is used

28 for training Llama Models.

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 39:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, including its

3   own definitions stated therein, which are applicable to this Request. . Meta objects to this Request

4   on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite,

5   and calls for a legal conclusion. Meta objects to this Request to the extent it suggests that Meta

6   was required to delete copyrighted material used for training LLMs after the material was used to

7   train its Llama Models. Meta also objects on the ground that this Request is overbroad and seeks

8   information that is not relevant to any party's claims or defenses. Meta objects to this Request as

9   compound.

10   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

11 admits that it has not deleted all training data used to train its Llama Models in its possession after

12 that training data was used to train its Llama Models, including, in part, to comply with its

13 obligations to preserve relevant documents and materials in connection with this Action. Except

14 as expressly admitted, Meta denies this Request.

15 **REQUEST FOR ADMISSION NO. 40:**

16   Admit that you reproduced copyrighted material in the training of Llama models.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 40:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, including its

19 own definitions stated therein, which are applicable to this Request. Meta objects to the term

20 "Llama models" as vague and ambiguous to the extent its meaning is intended to be different from

21 the defined term "Llama Models." Meta will construe "Llama models" as the defined term "Llama

22 Models" as limited and construed above. Meta objects to this Request on the grounds that the terms

23 "copyrighted material" and "reproduced" are vague, ambiguous, undefined, indefinite, and call for

24 a legal conclusion. Meta objects to this Request to the extent it calls for a legal conclusion. Meta

25 objects to this Request as compound.

26   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

27 **REQUEST FOR ADMISSION NO. 41:**

28   Admit that the Llama Models are capable of reproducing copyrighted material.

1   **RESPONSE TO REQUEST FOR ADMISSION NO. 41:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, including its

3   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

4   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

5   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

6   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

7   grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls

8   for a legal conclusion. Meta objects to this Request as speculative insofar as it seeks an admission

9   as to whether the Llama Models "are capable of" reproducing certain material, regardless of

10   whether they actually do reproduce such material. Meta objects to the phrase "the Llama Models

11   are capable of reproducing" as vague and ambiguous. Meta will construe "the Llama Models are

12   capable of reproducing" to refer to the capabilities of the final, released versions of Llama 1, Llama

13   2, and Llama 3, as construed above. Meta further objects to this Request on the ground that it

14   constitutes an incomplete hypothetical and calls for speculation.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Deny.

16   **REQUEST FOR ADMISSION NO. 42:**

17   Admit that the Llama Models are programmed, trained, or filtered to avoid reproducing

18   copyrighted material.

19   **RESPONSE TO REQUEST FOR ADMISSION NO. 42:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, including its

21   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

22   insofar as it seeks information that is not relevant to any party's claims or defenses, in particular

23   the substance of the outputs of the Llama Models. Meta objects to this Request as compound as it

24   purports to seek an admission as to multiple Llama Models. Meta objects to this Request on the

25   grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite, and calls

26   for a legal conclusion.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28   admits that it implemented certain risk mitigation measures in the process of developing the Llama

1   Models to minimize the likelihood that the models would generate undesirable outputs, including

2   outputs that may reproduce portions of any copyrighted materials. Except as expressly admitted,

3   Meta denies this Request.

4   **REQUEST FOR ADMISSION NO. 43:**

5   Admit that the Llama Models that were trained with copyrighted material had at least in

6   part a commercial purpose.

7   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 43:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, including its

9   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

10   on the grounds that the term "copyrighted material" is vague, ambiguous, undefined, indefinite,

11   and calls for a legal conclusion. Meta objects to the Request as compound.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

13   admits that Llama 2 and Llama 3 models were made available to the open source community

14   pursuant to a license that allowed developers to use the models for commercial uses pursuant to

15   certain terms and conditions. Meta also admits that the data used to train the Llama Models

16   included text from a published and commercially-available version of one or more copyrighted

17   works. Except as expressly admitted, Meta denies this Request.

18   **REQUEST FOR ADMISSION NO. 44:**

19   Admit that if copyright holders or other content creators demanded that You not use their

20   content to train Your LLM models, then You would not use their content to train Your LLM models.

21   **RESPONSE TO REQUEST FOR ADMISSION NO. 44:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, including its

23   own definitions stated therein, which are applicable to this Request. Meta objects to this Request

24   on the ground that it constitutes an incomplete hypothetical and as purely speculative.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: As

26   written, Meta is unable to respond to this Request and on that basis denies the Request. Meta is

27   willing to meet and confer to understand how to interpret this Request.

28   **REQUEST FOR ADMISSION NO. 45:**

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1   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Aloha from Hell*.

2 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

3   Meta incorporates by reference its Objections to Instructions and Definitions, which are

4 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

5 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

6 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

7 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

8 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

9 particular book, and would require Meta to conduct an analysis of a third party database that is

10 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

11 Request to the extent that it presumes that the referenced author in fact authored the referenced

12 work—information that is outside of Meta's possession, custody, or control.

13   Meta admits that some text from a published and commercially-available version of *Aloha*

14 *from Hell* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

15 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

16 **REQUEST FOR ADMISSION NO. 46:**

17   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Everything*

18 *Box*.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

22 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

23 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

24 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

25 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

26 particular book, and would require Meta to conduct an analysis of a third party database that is

27 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

28 Request to the extent that it presumes that the referenced author in fact authored the referenced

1 work—information that is outside of Meta's possession, custody, or control.

2   Meta admits that some text from a published and commercially-available version of *The*

3 *Everything Box* is included in the third party Books3 dataset. Except as expressly admitted, Meta

4 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

5 it..

6 **REQUEST FOR ADMISSION NO. 47:**

7   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Kill the Dead*.

8 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, which are

10 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

11 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

12 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

13 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

14 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

15 particular book, and would require Meta to conduct an analysis of a third party database that is

16 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

17 Request to the extent that it presumes that the referenced author in fact authored the referenced

18 work—information that is outside of Meta's possession, custody, or control.

19   Meta admits that some text from a published and commercially-available version of *Kill the*

20 *Dead* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

21 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

22 **REQUEST FOR ADMISSION NO. 48:**

23   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Perdition*

24 *Score*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, which are

27 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

28 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

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29

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

4 particular book, and would require Meta to conduct an analysis of a third party database that is

5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

6 Request to the extent that it presumes that the referenced author in fact authored the referenced

7 work—information that is outside of Meta's possession, custody, or control.

8 Meta admits that some text from a published and commercially-available version of *The*

9 *Perdition Score* is included in the third party Books3 dataset. Except as expressly admitted, Meta

10 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

11 it.

12 **REQUEST FOR ADMISSION NO. 49:**

13 Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Sandman Slim*.

14 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

15 Meta incorporates by reference its Objections to Instructions and Definitions, which are

16 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

17 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

18 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

19 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

20 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

21 particular book, and would require Meta to conduct an analysis of a third party database that is

22 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

23 Request to the extent that it presumes that the referenced author in fact authored the referenced

24 work—information that is outside of Meta's possession, custody, or control.

25 Meta admits that some text from a published and commercially-available version of

26 *Sandman Slim* is included in the third party Books3 dataset. Except as expressly admitted, Meta

27 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

28 it.

1   **REQUEST FOR ADMISSION NO. 50:**

2   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Wrong Dead*

3   *Guy*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 50:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11   particular book, and would require Meta to conduct an analysis of a third party database that is

12   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13   Request to the extent that it presumes that the referenced author in fact authored the referenced

14   work—information that is outside of Meta's possession, custody, or control.

15   Meta admits that some text from a published and commercially-available version of *The*

16   *Wrong Dead Guy* is included in the third party Books3 dataset. Except as expressly admitted, Meta

17   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

18   it.

19   **REQUEST FOR ADMISSION NO. 51:**

20   Admit that the Books3 database contains Plaintiff Sarah Silverman's work *The Bedwetter*.

21   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 51:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, which are

23   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

27   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

28   particular book, and would require Meta to conduct an analysis of a third party database that is

1   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

2   Request to the extent that it presumes that the referenced author in fact authored the referenced

3   work—information that is outside of Meta's possession, custody, or control.

4   Meta admits that some text from a published and commercially-available version of *The*

5   *Bedwetter* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

6   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

7   **REQUEST FOR ADMISSION NO. 52:**

8   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Ararat*.

9   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, which are

11   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

12   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

13   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

14   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

15   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

16   particular book, and would require Meta to conduct an analysis of a third party database that is

17   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

18   Request to the extent that it presumes that the referenced author in fact authored the referenced

19   work—information that is outside of Meta's possession, custody, or control.

20   Meta admits that some text from a published and commercially-available version of *Ararat*

21   is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information

22   sufficient to form a belief as to the truth of this request, and on that basis denies it.

23   **REQUEST FOR ADMISSION NO. 53:**

24   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Dead*

25   *Ringers*.

26   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, which are

28   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

1   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

2   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

3   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

4   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

5   particular book, and would require Meta to conduct an analysis of a third party database that is

6   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

7   Request to the extent that it presumes that the referenced author in fact authored the referenced

8   work—information that is outside of Meta's possession, custody, or control.

9   Meta admits that some text from a published and commercially-available version of *Dead*

10   *Ringers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

11   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

12   **REQUEST FOR ADMISSION NO. 54:**

13   Admit that the Books3 database contains Plaintiff Christopher Golden's work *The Pandora*

14   *Room*.

15   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, which are

17   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

18   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

19   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

20   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

21   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

22   particular book, and would require Meta to conduct an analysis of a third party database that is

23   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

24   Request to the extent that it presumes that the referenced author in fact authored the referenced

25   work—information that is outside of Meta's possession, custody, or control.

26   Meta admits that some text from a published and commercially-available version of *The*

27   *Pandora Room* is included in the third party Books3 dataset. Except as expressly admitted, Meta

28   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

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1 it.

2 **REQUEST FOR ADMISSION NO. 55:**

3   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Snowblind*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11 particular book, and would require Meta to conduct an analysis of a third party database that is

12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13 Request to the extent that it presumes that the referenced author in fact authored the referenced

14 work—information that is outside of Meta's possession, custody, or control.

15   Meta admits that some text from a published and commercially-available version of

16 *Snowblind* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

17 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 56:**

19   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Beautiful*

20 *Struggle*.

21 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, which are

23 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

27 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

28 particular book, and would require Meta to conduct an analysis of a third party database that is

1   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

2   Request to the extent that it presumes that the referenced author in fact authored the referenced

3   work—information that is outside of Meta's possession, custody, or control.

4   Meta admits that some text from a published and commercially-available version of *The*

5   *Beautiful Struggle* is included in the third party Books3 dataset. Except as expressly admitted,

6   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

7   denies it.

8   **REQUEST FOR ADMISSION NO. 57:**

9   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Water*

10   *Dancer*.

11   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18   particular book, and would require Meta to conduct an analysis of a third party database that is

19   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20   Request to the extent that it presumes that the referenced author in fact authored the referenced

21   work—information that is outside of Meta's possession, custody, or control.

22   Meta admits that some text from a published and commercially-available version of *The*

23   *Water Dancer* is included in the third party Books3 dataset. Except as expressly admitted, Meta

24   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

25   it.

26   **REQUEST FOR ADMISSION NO. 58:**

27   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *We Were Eight*

28   *Years in Power*.

1 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 58:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8 particular book, and would require Meta to conduct an analysis of a third party database that is

9 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10 Request to the extent that it presumes that the referenced author in fact authored the referenced

11 work—information that is outside of Meta's possession, custody, or control.

12   Meta admits that some text from a published and commercially-available version of *We*

13 *Were Eight Years in Power* is included in the third party Books3 dataset. Except as expressly

14 admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on

15 that basis denies it.

16 **REQUEST FOR ADMISSION NO. 59:**

17   Admit that the Books3 database contains Plaintiff Junot Díaz's work *The Brief Wondrous*

18 *Life of Oscar Wao*.

19 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 59:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

22 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

23 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

24 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

25 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

26 particular book, and would require Meta to conduct an analysis of a third party database that is

27 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

28 Request to the extent that it presumes that the referenced author in fact authored the referenced

1   work—information that is outside of Meta's possession, custody, or control.

2   Meta admits that some text from a published and commercially-available version of *The*

3   *Brief Wondrous Life of Oscar Wao* is included in the third party Books3 dataset. Except as

4   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

5   and on that basis denies it.

6   **REQUEST FOR ADMISSION NO. 60:**

7   Admit that the Books3 database contains Plaintiff Junot Díaz's work *Drown*.

8   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, which are

10   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

11   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

12   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

13   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

14   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

15   particular book, and would require Meta to conduct an analysis of a third party database that is

16   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

17   Request to the extent that it presumes that the referenced author in fact authored the referenced

18   work—information that is outside of Meta's possession, custody, or control.

19   Meta admits that some text from a published and commercially-available version of *Drown*

20   is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information

21   sufficient to form a belief as to the truth of this request, and on that basis denies it.

22   **REQUEST FOR ADMISSION NO. 61:**

23   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The*

24   *Confessions of Max Tivoli*.

25   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, which are

27   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

28   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

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1   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

2   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

3   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

4   particular book, and would require Meta to conduct an analysis of a third party database that is

5   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

6   Request to the extent that it presumes that the referenced author in fact authored the referenced

7   work—information that is outside of Meta's possession, custody, or control.

8   Meta admits that some text from a published and commercially-available version of *The*

9   *Confessions of Max Tivoli* is included in the third party Books3 dataset. Except as expressly

10   admitted, Meta lacks information sufficient to form a belief as to the truth of this request, and on

11   that basis denies it.

12   **REQUEST FOR ADMISSION NO. 62:**

13   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *How It Was*

14   *For Me*.

15   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, which are

17   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

18   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

19   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

20   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

21   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

22   particular book, and would require Meta to conduct an analysis of a third party database that is

23   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

24   Request to the extent that it presumes that the referenced author in fact authored the referenced

25   work—information that is outside of Meta's possession, custody, or control.

26   Meta admits that some text from a published and commercially-available version of *How It*

27   *Was For Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta

28   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

1   it.

2   **REQUEST FOR ADMISSION NO. 63:**

3   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *Less*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11   particular book, and would require Meta to conduct an analysis of a third party database that is

12   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13   Request to the extent that it presumes that the referenced author in fact authored the referenced

14   work—information that is outside of Meta's possession, custody, or control.

15   Meta admits that some text from a published and commercially-available version of *Less* is

16   included in the third party Books3 dataset. Except as expressly admitted, Meta lacks information

17   sufficient to form a belief as to the truth of this request, and on that basis denies it.

18   **REQUEST FOR ADMISSION NO. 64:**

19   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The Path of*

20   *Minor Planets*.

21   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, which are

23   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

27   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

28   particular book, and would require Meta to conduct an analysis of a third party database that is

1   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

2   Request to the extent that it presumes that the referenced author in fact authored the referenced

3   work—information that is outside of Meta's possession, custody, or control.

4   Meta admits that some text from a published and commercially-available version of *The*

5   *Path of Minor Planets* is included in the third party Books3 dataset. Except as expressly admitted,

6   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

7   denies it.

8

9   **REQUEST FOR ADMISSION NO. 65:**

10   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Golden*

11   *Child*.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

15   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

16   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

17   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

18   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

19   particular book, and would require Meta to conduct an analysis of a third party database that is

20   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

21   Request to the extent that it presumes that the referenced author in fact authored the referenced

22   work—information that is outside of Meta's possession, custody, or control.

23   Meta admits that some text from a published and commercially-available version of *Golden*

24   *Child* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

25   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26   **REQUEST FOR ADMISSION NO. 66:**

27   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *M. Butterfly*.

28   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

1   Meta incorporates by reference its Objections to Instructions and Definitions, which are

2   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

3   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

4   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

5   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

6   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

7   particular book, and would require Meta to conduct an analysis of a third party database that is

8   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

9   Request to the extent that it presumes that the referenced author in fact authored the referenced

10   work—information that is outside of Meta's possession, custody, or control.

11   Meta admits that some text from a published and commercially-available version of *M.

12   Butterfly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

13   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

14   **REQUEST FOR ADMISSION NO. 67:**

15   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Trying to

16   Find Chinatown*.

17   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

20   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

21   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

22   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

23   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

24   particular book, and would require Meta to conduct an analysis of a third party database that is

25   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

26   Request to the extent that it presumes that the referenced author in fact authored the referenced

27   work—information that is outside of Meta's possession, custody, or control.

28   Meta admits that some text from a published and commercially-available version of *Trying*

1   *to Find Chinatown* is included in the third party Books3 dataset. Except as expressly admitted,

2   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

3   denies it.

4   **REQUEST FOR ADMISSION NO. 68:**

5   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Sam the Cat*.

6   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

9   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

10   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

11   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

12   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

13   particular book, and would require Meta to conduct an analysis of a third party database that is

14   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

15   Request to the extent that it presumes that the referenced author in fact authored the referenced

16   work—information that is outside of Meta's possession, custody, or control.

17   Meta admits that some text from a published and commercially-available version of *Sam*

18   *the Cat* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

19   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

20   **REQUEST FOR ADMISSION NO. 69:**

21   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Who is Rich*?

22   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

28   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1   particular book, and would require Meta to conduct an analysis of a third party database that is

2   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

3   Request to the extent that it presumes that the referenced author in fact authored the referenced

4   work—information that is outside of Meta's possession, custody, or control.

5   Meta admits that some text from a published and commercially-available version of *Who is*

6   *Rich*? is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

7   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

8   **REQUEST FOR ADMISSION NO. 70:**

9   Admit that the Books3 database contains Plaintiff Laura Lippman's work *After I'm Gone*.

10 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

16 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

17 particular book, and would require Meta to conduct an analysis of a third party database that is

18 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

19 Request to the extent that it presumes that the referenced author in fact authored the referenced

20 work—information that is outside of Meta's possession, custody, or control.

21   Meta admits that some text from a published and commercially-available version of *After*

22 *I'm Gone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

23 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

24 **REQUEST FOR ADMISSION NO. 71:**

25   Admit that the Books3 database contains Plaintiff Laura Lippman's work *In a Strange City*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, which are

28 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

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1 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

2 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

3 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

4 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

5 particular book, and would require Meta to conduct an analysis of a third party database that is

6 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

7 Request to the extent that it presumes that the referenced author in fact authored the referenced

8 work—information that is outside of Meta's possession, custody, or control.

9   Meta admits that some text from a published and commercially-available version of *In a*

10 *Strange City* is included in the third party Books3 dataset. Except as expressly admitted, Meta

11 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

12 it.

13 **REQUEST FOR ADMISSION NO. 72:**

14   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Lady in the Lake*.

15 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, which are

17 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

18 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

19 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

20 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

21 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

22 particular book, and would require Meta to conduct an analysis of a third party database that is

23 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

24 Request to the extent that it presumes that the referenced author in fact authored the referenced

25 work—information that is outside of Meta's possession, custody, or control.

26   Meta admits that some text from a published and commercially-available version of *Lady*

27 *in the Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

28 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

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1   **REQUEST FOR ADMISSION NO. 73:**

2   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Sunburn*.

3   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 73:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

9   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

10   particular book, and would require Meta to conduct an analysis of a third party database that is

11   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

12   Request to the extent that it presumes that the referenced author in fact authored the referenced

13   work—information that is outside of Meta's possession, custody, or control.

14   Meta admits that some text from a published and commercially-available version of

15   *Sunburn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

16   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

17   **REQUEST FOR ADMISSION NO. 74:**

18   Admit that the Books3 database contains Plaintiff Laura Lippman's work *What the Dead*

19   *Know*.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27   particular book, and would require Meta to conduct an analysis of a third party database that is

28   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced

2 work—information that is outside of Meta's possession, custody, or control.

3   Meta admits that some text from a published and commercially-available version of *What*

4 *the Dead Know* is included in the third party Books3 dataset. Except as expressly admitted, Meta

5 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

6 it.

7 **REQUEST FOR ADMISSION NO. 75:**

8   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Wilde Lake*.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, which are

11 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

12 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

13 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

14 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

15 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

16 particular book, and would require Meta to conduct an analysis of a third party database that is

17 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

18 Request to the extent that it presumes that the referenced author in fact authored the referenced

19 work—information that is outside of Meta's possession, custody, or control.

20   Meta admits that some text from a published and commercially-available version of *Wilde*

21 *Lake* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

22 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

23 **REQUEST FOR ADMISSION NO. 76:**

24   Admit that the Books3 database contains Plaintiff Rachel Louise Snyder's work *No Visible*

25 *Bruises: What We Don't Know About Domestic Violence Can Kill Us*.

26 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, which are

28 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

1   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

2   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

3   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

4   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

5   particular book, and would require Meta to conduct an analysis of a third party database that is

6   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

7   Request to the extent that it presumes that the referenced author in fact authored the referenced

8   work—information that is outside of Meta's possession, custody, or control.

9   Meta admits that some text from a published and commercially-available version of *No

10   Visible Bruises: What We Don't Know About Domestic Violence Can Kill Us l* is included in the

11   third party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form

12   a belief as to the truth of this request, and on that basis denies it.

13   **REQUEST FOR ADMISSION NO. 77:**

14   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Embraced*.

15   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 77:**

16   Meta incorporates by reference its Objections to Instructions and Definitions, which are

17   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

18   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

19   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

20   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

21   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

22   particular book, and would require Meta to conduct an analysis of a third party database that is

23   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

24   Request to the extent that it presumes that the referenced author in fact authored the referenced

25   work—information that is outside of Meta's possession, custody, or control.

26   Meta admits that some text from a published and commercially-available version of

27   *Embraced* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

28   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

1   **REQUEST FOR ADMISSION NO. 78:**

2   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Unglued*.

3   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

9   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

10   particular book, and would require Meta to conduct an analysis of a third party database that is

11   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

12   Request to the extent that it presumes that the referenced author in fact authored the referenced

13   work—information that is outside of Meta's possession, custody, or control.

14   Meta admits that some text from a published and commercially-available version of

15   *Unglued* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

16   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

17   **REQUEST FOR ADMISSION NO. 79:**

18   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Made to Crave*

19   *Devotional*.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27   particular book, and would require Meta to conduct an analysis of a third party database that is

28   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1   Request to the extent that it presumes that the referenced author in fact authored the referenced

2   work—information that is outside of Meta's possession, custody, or control.

3   Meta admits that some text from a published and commercially-available version of *Made*

4   *to Crave Devotional* is included in the third party Books3 dataset. Except as expressly admitted,

5   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

6   denies it.

7   **REQUEST FOR ADMISSION NO. 80:**

8   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *After Tupac*

9   *& D Foster*.

10   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

16   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

17   particular book, and would require Meta to conduct an analysis of a third party database that is

18   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

19   Request to the extent that it presumes that the referenced author in fact authored the referenced

20   work—information that is outside of Meta's possession, custody, or control.

21   Meta admits that some text from a published and commercially-available version of *After*

22   *Tupac & D Foster* is included in the third party Books3 dataset. Except as expressly admitted,

23   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

24   denies it.

25   **REQUEST FOR ADMISSION NO. 81:**

26   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Another*

27   *Brooklyn*.

28   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

1   Meta incorporates by reference its Objections to Instructions and Definitions, which are

2 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

3 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

4 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

5 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

6 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

7 particular book, and would require Meta to conduct an analysis of a third party database that is

8 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

9 Request to the extent that it presumes that the referenced author in fact authored the referenced

10 work—information that is outside of Meta's possession, custody, or control.

11   Meta admits that some text from a published and commercially-available version of *Another*

12 *Brooklyn* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

13 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

14 **REQUEST FOR ADMISSION NO. 82:**

15   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Behind You*.

16 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

17   Meta incorporates by reference its Objections to Instructions and Definitions, which are

18 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

19 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

20 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

21 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

22 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

23 particular book, and would require Meta to conduct an analysis of a third party database that is

24 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

25 Request to the extent that it presumes that the referenced author in fact authored the referenced

26 work—information that is outside of Meta's possession, custody, or control.

27   Meta admits that some text from a published and commercially-available version of *Behind*

28 *You* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

1   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

2   **REQUEST FOR ADMISSION NO. 83:**

3   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Beneath a*

4   *Meth Moon.*

5   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

6   Meta incorporates by reference its Objections to Instructions and Definitions, which are

7   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

8   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

9   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

10   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

11   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

12   particular book, and would require Meta to conduct an analysis of a third party database that is

13   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

14   Request to the extent that it presumes that the referenced author in fact authored the referenced

15   work—information that is outside of Meta's possession, custody, or control.

16   Meta admits that some text from a published and commercially-available version of *Beneath*

17   *a Meth Moon* is included in the third party Books3 dataset. Except as expressly admitted, Meta

18   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

19   it.

20   **REQUEST FOR ADMISSION NO. 84:**

21   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Brown Girl*

22   *Dreaming*.

23   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

2   particular book, and would require Meta to conduct an analysis of a third party database that is

3   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

4   Request to the extent that it presumes that the referenced author in fact authored the referenced

5   work—information that is outside of Meta's possession, custody, or control.

6   Meta admits that some text from a published and commercially-available version of *Brown*

7   *Girl Dreaming* is included in the third party Books3 dataset. Except as expressly admitted, Meta

8   lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

9   it.

10   **REQUEST FOR ADMISSION NO. 85:**

11   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Feathers*.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

15   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

16   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

17   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

18   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

19   particular book, and would require Meta to conduct an analysis of a third party database that is

20   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

21   Request to the extent that it presumes that the referenced author in fact authored the referenced

22   work—information that is outside of Meta's possession, custody, or control.

23   Meta admits that some text from a published and commercially-available version of

24   *Feathers* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

25   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

26   **REQUEST FOR ADMISSION NO. 86:**

27   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Harbor Me*.

28

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1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 86:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8   particular book, and would require Meta to conduct an analysis of a third party database that is

9   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10   Request to the extent that it presumes that the referenced author in fact authored the referenced

11   work—information that is outside of Meta's possession, custody, or control.

12   Meta admits that some text from a published and commercially-available version of *Harbor*

13   *Me* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

14   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

15   **REQUEST FOR ADMISSION NO. 87:**

16   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *If You Come*

17   *Softly*.

18   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 87:**

19   Meta incorporates by reference its Objections to Instructions and Definitions, which are

20   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

21   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

22   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

23   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

24   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

25   particular book, and would require Meta to conduct an analysis of a third party database that is

26   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

27   Request to the extent that it presumes that the referenced author in fact authored the referenced

28   work—information that is outside of Meta's possession, custody, or control.

1   Meta admits that some text from a published and commercially-available version of *If You*

2 *Come Softly* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

3 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

4 **REQUEST FOR ADMISSION NO. 88:**

5   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Miracle's*

6 *Boys*.

7 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

8   Meta incorporates by reference its Objections to Instructions and Definitions, which are

9 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

10 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

11 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

12 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

13 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

14 particular book, and would require Meta to conduct an analysis of a third party database that is

15 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

16 Request to the extent that it presumes that the referenced author in fact authored the referenced

17 work—information that is outside of Meta's possession, custody, or control.

18   Meta admits that some text from a published and commercially-available version of

19 *Miracle's Boys* is included in the third party Books3 dataset. Except as expressly admitted, Meta

20 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

21 it..

22 **REQUEST FOR ADMISSION NO. 89:**

23   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Red at the*

24 *Bone*.

25 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

26   Meta incorporates by reference its Objections to Instructions and Definitions, which are

27 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

28 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

1 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

2 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

3 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

4 particular book, and would require Meta to conduct an analysis of a third party database that is

5 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

6 Request to the extent that it presumes that the referenced author in fact authored the referenced

7 work—information that is outside of Meta's possession, custody, or control.

8   Meta admits that some text from a published and commercially-available version of *Red at*

9 *the Bone* is included in the third party Books3 dataset. Except as expressly admitted, Meta lacks

10 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

11

12 Dated: December 13, 2024   COOLEY LLP

13   By: */s/Judd Lauter*
                                                    Bobby Ghajar
14   Mark Weinstein
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META'S AMENDED OBJ & RESPS TO
PLTF'S FIRST SET OF RFA'S
3:23-CV-03417-VC

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.'S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST SET OF REQUESTS FOR ADMISSIONS**

☒ (BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

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16 *Counsel for Defendant Meta Platforms, Inc.*

17   **UNITED STATES DISTRICT COURT**

18   **NORTHERN DISTRICT OF CALIFORNIA**

19   **SAN FRANCISCO DIVISION**

20 RICHARD KADREY, *et al.*, | Case No. 3:23-cv-03417-VC

21 Individual and Representative

22   Plaintiffs, | **DEFENDANT META PLATFORMS, INC.'S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS FOR ADMISSIONS**

23   v.

24 META PLATFORMS, INC., a Delaware
    corporation;
25
                          Defendant.
26

27

28

1 2 3	**PROPOUNDING PARTY:**	**PLAINTIFFS RICHARD KADREY, SARAH SILVERMAN, CHRISTOPHER GOLDEN, TA-NEHISI COATES, JUNOT DÍAZ, ANDREW SEAN GREER, DAVID HENRY HWANG, MATTHEW KLAM, LAURA LIPPMAN, RACHEL LOUISE SNYDER, JACQUELINE WOODSON, LYSA TERKEURST, AND CHRISTOPHER FARNSWORTH**
4	**RESPONDING PARTY:**	**DEFENDANT META PLATFORMS, INC.**
5	**SET NUMBER:**	**SECOND**

6   Pursuant to Rule 36 of the Federal Rules of Civil Procedure ("Rules"), Defendant Meta

7   Platforms, Inc. ("Meta") responds as follows to Plaintiffs Richard Kadrey, Sarah Silverman,

8   Christopher Golden, Ta-Nehisi Coates, Junot Díaz, Andrew Sean Greer, David Henry Hwang,

9   Matthew Klam, Laura Lippman, Rachel Louise Snyder, Jacqueline Woodson, Lysa TerKeurst, and

10   Christopher Farnsworth's Second Set of Requests for Admissions ("Requests").

11   **I.   OBJECTIONS AND RESPONSES TO ALL REQUESTS**

12   **1.**   Meta's responses to the Requests are made to the best of Meta's present knowledge,

13   information, and belief. Said responses are at all times subject to such additional or different

14   information that discovery or further investigation may disclose, and Meta reserves the right to

15   amend, revise, correct, supplement, or clarify the responses and objections propounded herein.

16   **2.**   To the extent a Request seeks information that Meta deems to embody material that

17   is private, business confidential, proprietary, trade secret, or otherwise protected from disclosure

18   pursuant to Rule 26(c) and/or Federal Rule of Evidence 501, Meta will only provide such

19   information subject to, and in accordance with, the parties' stipulated protective order (ECF No.

20   90, the "Protective Order").

21   **3.**   The provision of a response to any of these Requests does not constitute a waiver of

22   any objection regarding the use of said response in these proceedings. Meta reserves all objections

23   or other questions as to the competency, relevance, materiality, privilege or admissibility as

24   evidence in any subsequent proceeding in or trial of this or any other action for any purpose

25   whatsoever of this response and any document or thing produced in response to the Requests.

26   **4.**   Meta objects to Plaintiffs' Requests insofar as the numbering of the Requests

27   overlaps with the numbering of Plaintiffs' First Set of Requests for Admissions. To avoid

28

1 confusion, Meta has numbered its responses consecutively based on Plaintiffs' First Set of Requests

2 for Admissions, beginning with "Request for Admission No. 90."

3   **5.**   Meta reserves the right to object on any ground at any time to such other or

4 supplemental requests for admission that Plaintiffs may propound involving or relating to the

5 subject matter of these Requests.

6 **II.   OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

7   Whether or not separately set forth in response to each Request, Meta makes these

8 objections to the following Instructions and Definitions.

9   **1.**   Meta objects to the definition of "You," "Your," and "Meta Platforms" as

10 overbroad, unduly burdensome, and disproportionate to the needs of the case to the extent that it

11 purports to require Meta to produce documents outside of its possession, custody, or control. Meta

12 construes "Meta" or "You" to mean Meta Platforms, Inc.

13   **2.**   Meta objects to Instruction 1 as vague and ambiguous as to "Plaintiffs' Second Set

14 of Requests for Production of Documents," as Plaintiffs also served "Plaintiffs' Corrected Second

15 Set of Requests for Production" on the same day, March 20, 2024. Meta further objects to

16 Instruction 1 to the extent that the instructions set forth in Plaintiffs' Second Set of Requests for

17 Production of Documents are inapplicable to responding to requests for admission. To the extent

18 those instructions are applicable to responding to the Requests, Meta incorporates its Objections to

19 Instructions and Definitions set forth in its Objections and Responses to Plaintiffs' Corrected

20 Second Set of Requests for Production of Documents.

21   **3.**   Meta objects to Instruction 2 as overbroad and unduly burdensome to the extent that

22 it purports to require more of Meta than any obligation imposed by law. Meta also objects to this

23 instruction on the ground that it improperly demands narrative responses, which are the proper

24 subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the

25 interrogatory limit.

26   **4.**   Meta objects to Instruction No. 5 as vague, ambiguous, and unintelligible. Meta

27 will answer the Requests as provided under Rule 36(a)(4).

28

1   **5.**   Meta objects to Instruction Nos. 8 and 9 as overbroad and unduly burdensome to the

2   extent that they purport to require more of Meta than any obligation imposed by law.

3   **6.**   Meta objects to Instruction 10 as overbroad and unduly burdensome to the extent

4   that it purports to require more of Meta than any obligation imposed by law. Meta also objects to

5   this instruction on the ground that it improperly demands narrative responses, which are the proper

6   subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the

7   interrogatory limit.

8   **III.**   **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL DOCUMENT REQUESTS**

9   **REQUEST FOR ADMISSION NO. 90:**

10   Admit that *Blood Oath* by Christopher Farnsworth was included in a dataset used to train

11   Your large language models.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 90:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta further objects to the term "large language models" as vague,

15   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

16   the needs of the case to the extent that it purports to include large language models ("LLMs") that

17   were not publicly released and/or were not trained on corpuses of text that allegedly include any of

18   Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean

19   the models within the Llama family of LLMs that have been or are being developed by Meta,

20   namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

21   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

22   determine whether the datasets used to train Meta's large language models (as construed above)

23   contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

24   of a third party database that is equally accessible to Plaintiffs for every word of any particular

25   work. Meta further object to this Request to the extent that it presumes that the referenced author

26   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

27   control.

28

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2 admits that text from a published and commercially-available version of *Blood Oath* is included in

3 a dataset used to train Meta's large language models, as that term is construed above.   Except as

4 expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

5 and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 91:**

7   Admit that *The President's Vampire* by Christopher Farnsworth was included in a dataset

8 used to train Your large language models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 91:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, which are

11 applicable to this Request. Meta further objects to the term "large language models" as vague,

12 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

13 the needs of the case to the extent that it purports to include large language models that were not

14 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

15 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

16 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

17 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

18   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

19 determine whether the datasets used to train Meta's large language models (as construed above)

20 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

21 of a third party database that is equally accessible to Plaintiffs for every word of any particular

22 work. Meta further object to this Request to the extent that it presumes that the referenced author

23 in fact authored the referenced work—information that is outside of Meta's possession, custody, or

24 control.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

26 admits that text from a published and commercially-available version of *The President's Vampire*

27 is included in a dataset used to train Meta's large language models, as that term is construed

28

1   above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

2   truth of this request, and on that basis denies it.

3   **REQUEST FOR ADMISSION NO. 92:**

4   Admit that *Red, White, and Blood* by Christopher Farnsworth was included in a dataset used

5   to train Your large language models.

6   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 92:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta further objects to the term "large language models" as vague,

9   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

10   the needs of the case to the extent that it purports to include large language models that were not

11   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

12   allegedly copyrighted works. Meta construes "large language models" to mean the models within

13   the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama

14   2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on the ground

15   that the referenced work, *Red, White, and Blood*, is not alleged to be at issue in this action.

16   **REQUEST FOR ADMISSION NO. 93:**

17   Admit that *The Burning Men: A Nathaniel Cade Story* by Christopher Farnsworth was

18   included in a dataset used to train Your large language models.

19   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 93:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21   applicable to this Request. Meta further objects to the term "large language models" as vague,

22   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

23   the needs of the case to the extent that it purports to include large language models that were not

24   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

25   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

26   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

27   1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

28

1   the ground that the referenced work, *The Burning Men: A Nathaniel Cade Story* is not alleged to

2   be at issue in this action.

3   **REQUEST FOR ADMISSION NO. 94:**

4   Admit that *The Eternal World* by Christopher Farnsworth was included in a dataset used to

5   train Your large language models.

6   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta further objects to the term "large language models" as vague,

9   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

10   the needs of the case to the extent that it purports to include large language models that were not

11   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

12   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

13   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

14   1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

15   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

16   determine whether the datasets used to train Meta's large language models (as construed above)

17   contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

18   of a third party database that is equally accessible to Plaintiffs for every word of any particular

19   work. Meta further object to this Request to the extent that it presumes that the referenced author

20   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

21   control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

23   admits that text from a published and commercially-available version of *The Eternal World* is

24   included in a dataset used to train Meta's large language models, as that term is construed

25   above. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

26   truth of this request, and on that basis denies it.

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1 **REQUEST FOR ADMISSION NO. 95:**

2   Admit that *Killfile* by Christopher Farnsworth was included in a dataset used to train Your

3 large language models.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6 applicable to this Request. Meta further objects to the term "large language models" as vague,

7 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

8 the needs of the case to the extent that it purports to include large language models that were not

9 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

10 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

11 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

12 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

13 the ground that the referenced work, *Killfile*, is not alleged to be at issue in this action.

14 **REQUEST FOR ADMISSION NO. 96:**

15   Admit that *Flashmob* by Christopher Farnsworth was included in a dataset used to train

16 Your large language models.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 96:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19 applicable to this Request. Meta further objects to the term "large language models" as vague,

20 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

21 the needs of the case to the extent that it purports to include large language models that were not

22 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

23 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

24 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

25 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

26   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

27 determine whether the datasets used to train Meta's large language models (as construed above)

28 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

1   of a third party database that is equally accessible to Plaintiffs for every word of any particular

2   work. Meta further object to this Request to the extent that it presumes that the referenced author

3   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

4   control.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

6   admits that text from a published and commercially-available version of *Flashmob* is included in a

7   dataset used to train Meta's large language models, as that term is construed above. Except as

8   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

9   and on that basis denies it.

10   **REQUEST FOR ADMISSION NO. 97:**

11   Admit that *Deep State: A Nathaniel Cade Story* by Christopher Farnsworth was included in

12   a dataset used to train Your large language models.

13   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15   applicable to this Request. Meta further objects to the term "large language models" as vague,

16   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

17   the needs of the case to the extent that it purports to include large language models that were not

18   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

19   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

20   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

21   1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

22   the ground that the referenced work, *Deep State: A Nathaniel Cade Story*, is not alleged to be at

23   issue in this action.

24   **REQUEST FOR ADMISSION NO. 98:**

25   Admit that you used books sourced from Books3 to train one or more of your large language

26   models.

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1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 98:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to this Request and vague, ambiguous, and unintelligible,

4   as written. It is not clear to Meta what it means to use "books sourced from Books3." Meta further

5   objects to the term "large language models" as vague, ambiguous, and undefined, as well as

6   overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that

7   it purports to include large language models that were not publicly released and/or were not trained

8   on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta

9   construes the term "large language models" to mean the models within the Llama family of LLMs

10   that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3,

11   Llama 4, and Llama 5.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: As

13   written, Meta does not understand this Request and, on that basis, denies the Request. Meta is

14   willing to meet and confer to understand how to interpret this Request.

15   Dated: December 13, 2024   COOLEY LLP

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                                              Teresa Michaud
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3:23-CV-03417-VC**

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META'S AMENDED OBJ & RESPS TO PLTF'S SECOND SET OF RFA'S
3:23-CV-03417-VC

PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of California. I am employed in Los Angeles County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley LLP, 355 South Grand Avenue, Suite 900, Los Angeles, CA 90071. On the date set forth below I served the documents described below in the manner described below:

- **DEFENDANT META PLATFORMS, INC.'S AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' SECOND SET OF REQUESTS FOR ADMISSIONS**

ⓧ   (BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of Cooley LLP for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail to the parties listed below.

on the following part(ies) in this action:

Service list on next page.

Executed on December 13, 2024, at Los Angeles, California.

/s/Jerry Gonzalez
Jerry Gonzalez

<div align="center">

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3:23-CV-03417-VC

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